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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,171	03/09/2004	Edward D. Cline	NC 96090	1043
26493	7590	05/16/2005	EXAMINER	
NAVAL AIR SYSTEMS COMMAND (MARK GLUT & JOHN LEWIS)			MCCALL, ERIC SCOTT	
DEPARTMENT OF THE NAVY			ART UNIT	
47123 BUSE ROAD, UNIT IPT			PAPER NUMBER	
BUILDING 2272/SUITE 257/AIR-7.7.2			2855	
PATUXENT RIVER, MD 20670-1547			DATE MAILED: 05/16/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/801,171

Applicant(s)

CLINE ET AL.

Examiner

Eric S. McCall

Art Unit

2855

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/09/04</u> . | 6) <input type="checkbox"/> Other: ____ |

MULTIPLE ENGINE TEST SYSTEM

FIRST OFFICE ACTION

CLAIMS

35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Cascio
(5,547,304).

With respect to claim 1, Cascio suggests a multiple engine test system (col. 1, lns 22-26), comprising:

- a. an engine test bed system (4) for holding a specific engine type, the engine test bed system comprising testing components (22/22a) for the specific engine type;
- b. a mounting frame (6), the mounting communicating with the engine test bed system (Fig. 1); and
- c. a handling system (2) for transporting the engine test bed system from storage to the mounting frame (col. 3, lines 8-23).

With respect to claim 2, Cascio suggests an engine interface harness for adapting specific engine connections to universal testing connections and components (col. 3, lines 29-35).

35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cascio (5,547,304).

With respect to claims 3 and 4, Cascio fails to explicitly teach an exhaust duct that intakes discharge from the engine's exhaust.

However, it would have been obvious to one having ordinary skill in the art armed with said teaching to include with the Cascio teaching an adjustable exhaust duct that collects any discharge from the engine's exhaust.

The motivation being that when the engine of Cascio is tested engine exhaust will result, and as such, any and all engine exhaust will need to be collected from the engine's exhaust system and removed from the testing site due to the fact that engine exhaust is very well known to be harmful to one's health and thus harmful to anyone in the vicinity of the engine test site.

With respect to claim 5, Cascio suggests a multiple engine test system (col. 1, lns 22-26), comprising:

- a. a transportable engine test bed system (4) for holding a specific "aircraft engine type" (Cascio teaches the testing of an internal combustion engine and an internal combustion engine is an "aircraft engine type" as claimed), the transportable engine test bed system comprising testing components (22/22a) for the specific aircraft engine type;
- b. a mounting frame (6), the mounting frame being able to hold the transportable engine test bed system (4) securely, the transportable engine test bed system removable from the mounting frame (Fig. 1);
- c. a handling system (2) for transporting the engine test bed system from storage to the mounting frame (col. 3, lines 8-23); and

e. an engine interface harness for adapting specific engine connections to universal testing connections and components (col. 3, lines 29-35).

Furthermore, element “d” as claimed parallels that of claims 3 and 4, and thus would have been obvious over Cascio in view of the same reasoning as set forth above with respect to claims 3 and 4.

With respect to claims 6 and 7, Cascio suggests an engine test bed system comprising a support beam (6), a support column (10), a top beam member (2), and a top member connecting beam (12) in relation to one another as is claimed.

Cascio fails to teach a plurality of such beams, columns, and members.

However, it would have been obvious to one having ordinary skill in the art armed with said teaching to use a plurality of such beams, columns, and members.

The motivation being that by using a plurality of beams, columns, and members in place of a single beam, column, and member the rigidity, strength, and durability of the test system would be increased.

With respect to claim 8, Cascio suggests the mounting frame (6) comprising a platform (base of 10) and a pedestal (vertical support of 10) with the pedestal disposed on top of the platform.

With respect to claim 9, Cascio suggests a mounting frame including a pedestal.

Cascio fails to teach two pedestals as claimed.

However, it would have been obvious to one having ordinary skill in the art armed with said teaching to use a plurality of pedestals as claimed.

The motivation being that by using a plurality of pedestals in place of a single pedestal the rigidity, strength, and durability of the test system would be increased.

With respect to claims 10 and 12, Cascio teaches the handling system comprising a rail system which can transport the engine test bed system and the engine (Fig. 1).

Cascio fails to teach the rail system being an overhead hoist.

Nonetheless, it would have been obvious to one having ordinary skill in the art to use an overhead rail system in place of the rail system as taught.

The motivation being that both rail systems operate in the same fashion with the only difference being the location of the rail and corresponding components wherein the use of overhead hoists to transport an engine are very well known in the art.

With respect to claim 11, the connectors and adapters (Fig. 1) in the Cascio teaching are interpreted as being standardized connectors and adapters as claimed.

Art Unit: 2855

CITED DOCUMENTS

The Applicant's attention is directed to the enclosed "PTO-892" form for the documents made of record at the time of this office action.

CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric S. McCall whose telephone number is (571) 272-2183.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Eric S. McCall
Primary Examiner
Art Unit 2855
May 11, 2005